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STATUTORY INSTRUMENTS

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**2011 No. 3066**

**The Railways (Interoperability) Regulations 2011**

**PART 6**

**Appeals and Enforcement**

**Appeals in Northern Ireland**

**38.**—(1) A person who is aggrieved by a decision of the Safety Authority in Northern Ireland under regulations 5 to 11 may appeal to DRDNI.

(2) The appellant must lodge the appeal by way of an application in such form or manner as DRDNI may decide.

(3) DRDNI must within two months of the date of receipt of the information necessary for DRDNI to make its determination—

- (a) make a determination; and
- (b) where DRDNI considers it appropriate in order to give effect to the determination—
  - (i) arrange for the Safety Authority to take any necessary action; and
  - (ii) give directions.

(4) Without prejudice to the right of any person to make an application for judicial review—

- (a) a determination by DRDNI on appeal brought under this regulation is binding on all parties affected by that determination; and
- (b) it is the duty of any person to whom a direction is given under this regulation to comply with and give effect to that direction.

(5) Where an appeal is made under this regulation, the decision in question is suspended pending the final determination of the appeal.